

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

THOMAS CANNON, JESSE CONNER, )		
DONALD KOONS, and NICHOLAS )		JUDGMENT
TERRELL, )		
Plaintiffs, )		
)		
v. )		
)		No. 7:15-CV-187-H
VILLAGE OF BALD HEAD ISLAND, )		
NORTH CAROLINA, CALVIN R. )		
PECK, JR., in his individual capacity, )		
and CAROLINE MITCHELL, in her )		
individual capacity, )		
Defendants. )		

**Decision by Court.**

This case came before the Honorable Malcolm J. Howard, Senior United States District Judge for bench trial.

**IT IS ORDERED, ADJUDGED AND DECREED** relief is granted as to the following claims: 1. Plaintiffs Cannon, Conner, Koons, and Terrell's liberty interest claims against Defendants Peck and Mitchell in their individual capacities on plaintiffs' section 1983 claims for violations of their Due Process Rights under the Fourteenth Amendment. 2. Plaintiffs Cannon, Koons, and Terrell's libel per se claims against Defendants Peck and Mitchell. 3. Plaintiff Conner's libel per se claim against Defendant Mitchell. 4. Plaintiff Conner's libel per quod claim against Defendant Peck.

**The following claims are dismissed:** 1. Plaintiff Cannon, Conner, Koons, and Terrell's Wrongful Discharge claims against Defendant Village. 2. Plaintiff Conner's Breach of Contract claim against Defendant Village. 3. Plaintiff Cannon, Koons, and Terrell's Libel Per Se Claims against Defendant Village. 4. Plaintiff Conner's Libel Per Quod Claim against Defendant Village.

**Based upon Findings of Fact and Conclusions of Law as set out herein, the summary of awards are as follows:**

**a. Thomas Cannon**

i. **Liberty Interest Damages: \$80,000**  
ii. **Libel Damages: \$50,000**  
iii. **Punitive Damages: \$50,000**  
**TOTAL: \$180,000**

**b. Jesse Conner**

i. **Liberty Interest Damages: \$89,000**  
ii. **Libel Damages: \$50,001**  
iii. **Punitive Damages: \$50,000**  
**TOTAL: \$189,001**

**c. Donald Koons**

i. **Liberty Interest Damages: \$46,000**  
ii. **Libel Damages: \$50,000**  
iii. **Punitive Damages: \$50,000**  
**TOTAL: \$146,000**

**d. Nicholas Terrell**

i. **Liberty Interest Damages: \$92,000**  
ii. **Libel Damages: \$50,000**  
iii. **Punitive Damages: \$50,000**  
**TOTAL: \$192,000**

**Plaintiffs are entitled to recover a total of \$707,001 from Defendants Peck and Mitchell as detailed supra. Interest shall accrue at the post-judgment rate applicable on the date of judgment.**

This Judgment Filed and Entered on November 30, 2020, with service via CM/ECF Notice of Electronic Filing on:

Samuel B. Potter, Attorney for Plaintiff  
Bradley A. Coxe, Attorney for Plaintiff  
Dan M. Hartzog, Attorney for Defendant  
Norwood Blanchard, III, Attorney for Defendant

**DATED: November 30, 2020**

**PETER A. MOORE, JR., CLERK**  
By: /s/ Lisa W. Lee  
(Deputy Clerk)